

Public Law 955

CHAPTER 926

AN ACT

August 3, 1956
[S. 1135]

To amend the Act entitled "An Act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes".

Civil Air Patrol.
5 USC 626f, 626m.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved May 26, 1948 (62 Stat. 274), entitled "An Act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes", is hereby amended by adding thereto the following new sections:

Volunteer civilian employees.

"SEC. 3. (a) Volunteer civilian members of Civil Air Patrol, except Civil Air Patrol Cadets, shall, for the purpose of administration of the Federal Employees' Compensation Act, be deemed to be civilian employees of the United States within the meaning of the term 'employee' as defined in section 40 of that Act, and the provisions of that Act shall apply to them in all respects, subject to the remaining provisions of this section.

39 Stat. 750.
5 USC 790.

"(b) In administering that Act for members covered by this section—

Monthly pay.

"(1) the monthly pay of such a member shall, for the purpose of computing compensation for disability or death, be considered to be \$300;

5 USC 760.

"(2) the percentages applicable to payments under section 10 of that Act are—

49 Stat. 622.
42 USC 401 et seq.

"(A) 45 per centum for clause (C) of that section, in any case where the member died fully or currently insured under title II of the Social Security Act, with no additional payments for a child or children so long as the widow or widower remains eligible for payments under that clause;

"(B) 20 per centum for clause (D) of that section, for one child and 10 per centum additional for each additional child, but not more than a total of 75 per centum, in any case where the member died fully or currently insured under title II of the Social Security Act; and

"(C) 25 per centum for clause (E) of that section, if one parent was wholly dependent for support upon the deceased member at the time of his death and the other was not dependent to any extent; 16 per centum to each, if both were wholly dependent; and if one was, or both were, partly dependent, a proportionate amount in the discretion of the Secretary of Labor;

"(3) no payments may be made under clause (F) of that section;

"Performance of duty".

"(4) the term 'performance of duty', as used in that Act, means only active service, and travel to and from such service, rendered in performance or support of operational missions of the Civil Air Patrol, under direction of the Department of the Air Force, and under written authorization by competent authority covering a specific assignment and prescribing a time-limit for such assignment; and

Notice of claim.

"(5) the Secretary of Labor, or his designee, shall inform the Secretary of Health, Education, and Welfare whenever a claim is filed and eligibility for compensation is established under clause (C) or clause (D) of section 10 of that Act, and that Secretary shall then certify to the Secretary of Labor as to whether or not

the member concerned was fully or currently insured under title II of the Social Security Act at the time of his death."

"(c) When a claim is filed, the Secretary of Labor or his designee may inform the Secretary of the Air Force or his designee, who shall advise, if so requested, the Secretary of Labor concerning the facts with respect to the injury, including the question whether at the time of injury the member of the Patrol was rendering service, or engaged in travel to or from such service, in performance or support of an operational mission of the Patrol: *Provided*, That this shall not be construed to dispense with the reports of the member's immediate superior required under section 24, or other reports agreed upon under section 28a of that Act.

"(d) The provisions of this section shall be applicable as of May 20, 1941, in the cases of members of the Civil Air Patrol as it existed under and pursuant to Executive Order 8757 of May 20, 1941, as amended by Executive Order 9134 of April 15, 1942, and Executive Order 9339 of April 29, 1943: *Provided*, That the time limitations in that Act, in respect to notice of injury and claim for compensation, shall not begin to run until the date of enactment of this Act: *Provided further*, That no benefits under that Act shall accrue or be payable in any case for any period prior to the date of this Act, but this provision shall not bar the payment or reimbursement of medical and other expenses as authorized by sections 9 and 11 of that Act, if not otherwise paid or furnished by the United States: *Provided further*, That, with respect to services rendered prior to the enactment of this Act, the term 'performance of duty', as used in that Act, shall mean only active service, and travel to and from such service, rendered in performance or support of operational missions of the Civil Air Patrol, under direction of the Office of Civilian Defense, the Department of the Army (War), including the Army Air Forces, or the Department of the Air Force: *And provided further*, That the entitlement of any person to receive benefits from the United States under any other provision of law in effect prior to the date of enactment of this Act for an injury or death for which benefits are authorized by this Act is hereby terminated.

"SEC. 4. Nothing in this Act shall be construed to confer military or veteran status upon any person."

SEC. 2. (a) Section 760 of title 14, United States Code, is amended—

(1) by striking out "\$150" in subsection (a) and inserting "\$300" in lieu thereof; and

(2) by adding the following subsection at the end thereof:

"(e) In administering the Federal Employees' Compensation Act for persons covered by this section—

"(1) the percentages applicable to payments under section 10 of that Act are—

"(A) 45 per centum for clause (C) of that section, in any case where the member died fully or currently insured under title II of the Social Security Act, with no additional payments for a child or children so long as the widow or widower remains eligible for payments under that clause;

"(B) 20 per centum for clause (D) of that section, for one child, and 10 per centum additional for each additional child, but not more than a total of 75 per centum, in any case where the member died fully or currently insured under title II of the Social Security Act; and

"(C) 25 per centum for clause (E) of that section, if one parent was wholly dependent for support upon the deceased member at the time of his death and the other was not dependent to any extent; 16 per centum to each if both were wholly

49 Stat. 622.
42 USC 401 et
seq.

5 USC 774, 779.
Applicability.

8 FR 5659.
50 USC app.
601 note.

3 USC 759, 761.

Military or vet-
eran status.

63 Stat. 553.

5 USC 760.

42 USC 401 et
seq.

dependent; and if one was, or both were, partly dependent, a proportionate amount in the discretion of the Secretary of Labor;

"(2) no payments may be made under clause (F) of that section; and

"(3) the Secretary of Labor or his designee shall inform the Secretary of Health, Education, and Welfare whenever a claim is filed and eligibility for compensation is established under clause (C) or clause (D) of section 10 of that Act, and that Secretary shall then certify to the Secretary of Labor as to whether or not the member concerned was fully or currently insured under title II of the Social Security Act at the time of his death."

Applicability.

(b) The amendments made by this section apply only to benefits for months beginning after the month in which it is enacted.

Prior entitlement to benefits.

(c) The entitlement of any person to benefits under the Federal Employees' Compensation Act as it was in effect before the enactment of this section is not affected by this section.

Approved August 3, 1956.

Public Law 956

CHAPTER 927

AN ACT

August 3, 1956
[S. 3787]

Relating to the management of the Red Lake Indian Forest and sawmill.

Red Lake Indian Forest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seventeenth paragraph of section 9 of the Act of May 18, 1916 (39 Stat. 123, 137) is hereby amended to read as follows:

"The Red Lake Indian Forest shall be administered by the Secretary of the Interior in accordance with principles of scientific forestry that will encourage the production of successive timber crops for the benefit of the Indians of the Red Lake Band, and he is hereby authorized (a) to harvest, sell, and manufacture such marketable timber from any tribal lands within the Red Lake Indian Reservation as he may deem to be advisable and, if the timber is the growth of Red Lake Indian Forest, in keeping with the foregoing principles, (b) to establish nurseries and otherwise provide for the reforestation of said lands, (c) to construct and operate sawmills and other facilities for the manufacture into marketable products of the timber harvested from said lands, (d) to purchase, harvest, and manufacture such additional timber standing on or severed from any other lands, including lands outside the reservation, as in his opinion may contribute to the profitable operation of such sawmills and other facilities as a tribal enterprise, subject to such limitations on expenditures as may be prescribed in annual appropriations acts, and (e) to employ, with the consent of the tribal council, such persons and use such means as he may find necessary to carry out the purposes of the foregoing provisions. Any proceeds derived from sales of timber or timber products under this paragraph may be expended in payment of the expenses of any of the activities authorized by this paragraph, including construction expenses."

SEC. 2. The fourth paragraph of section 8 of the Act of June 30, 1919 (41 Stat. 3, 14) is hereby amended by striking out the proviso.

Approved August 3, 1956.